

The United States Bankruptcy Court for the Western District of Pennsylvania

Notice to Bar Regarding the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005

System Maintenance

The Case Management and Electronic Case Files System (CM/ECF) will not be available for document filing or review on Sunday, October 16, 2005. The system will be shutdown at 12:01 A.M. on Sunday. Maintenance will be done on the system in order to update the program so that it complies with the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. It is anticipated that CM/ECF will be available by 10:00 A.M. on Monday, October 17, 2005.

Mailing Matrix Requirements

Commencing October 17, 2005, the Court will begin to strictly enforce the requirements of Local Rule 1007 - 1 paragraphs B and D which provide:

B. The Mailing Matrix must be electronically filed when the petition is filed as a text file (with a .txt extension) ... If schedules are amended to add a creditor, a supplemental Mailing Matrix containing only the names and addresses of the added creditors must be filed as a text file (with a .txt extension).

D. Duty to Prepare: The debtor and the attorney for the debtor shall bear the responsibility for the preparation and accuracy of the Mailing Matrix. If the Mailing Matrix is not timely filed, the bankruptcy petition will be dismissed by the Court.

A bankruptcy case will be dismissed if the mailing matrix is not filed when the petition is filed. Debtors will no longer be provided a 15 day period after the date the petition is filed to submit a mailing matrix.

Mandatory Electronic Filing

Commencing January 1, 2006, the Court will begin to strictly enforce the requirements of Local Rule 5005-1 which states:

Electronic filing is mandatory in this district. The Electronic Case Filing Procedures in the Court Procedures Manual shall govern all filings.

Elimination of Paper Notices from Bankruptcy Noticing Center When Attorney Receives E-Mail

Electronic filers have agreed to receive documents electronically and waive the right to receive notice by any other means. Currently, electronic filers with an email address registered in CM/ECF also receive paper notices from the BNC. The duplication of notices causes additional work for these filers and is an additional and unnecessary cost to the Judiciary. The CM/ECF system will be modified on October 17, 2005 so that users who receive electronic notification will no longer receive paper notices sent from the BNC. However, all users will continue to receive the paper version of the 341 notice sent from the BNC because only the paper version of the 341 notice displays the full social security number.

“Tagged” PDF Documents

Remote Approach developed a PDF Tracking software program that performs document distribution management of PDF files. The software enables document distributors to add special tags to their PDF documents to determine if PDF documents are being read, downloaded, forwarded as well as which documents are not viewed. Each time a document is viewed, the document distributor receives notification. Some bankruptcy preparation software may be using this software when creating pdf documents. CM/ECF has been updated to reject a PDF document that includes Remote Approach tracking tags. When it rejects a tagged document, CM/ECF displays the same message used to reject a password-protected document. The message may appear as follows:

ERROR: Document contains code which may cause an external action (such as launching an application). This PDF document cannot be accepted.

Please contact your bankruptcy preparation software vendor for assistance. They may be able to provide you with a patch to remove the PDF software tracking tags.

Theodore S. Hopkins, Clerk
U.S. Bankruptcy Court